

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appn No.: 10/017,965
Applicants: Mitsuaki OSHIMA et al.
Filed: December 7, 2001
Title: MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON
OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND
METHOD OF PRODUCING OPTICAL DISK
TC/A.U.: 2137
Examiner: Paul E. Callahan
Confirmn. No.: 8891
Docket No.: MTS-520US4

**PETITION UNDER 37 C.F.R. § 1.181 FOR CONSIDERATION OF
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents
BOX ISSUE FEE
Washington, DC 20231

SIR :

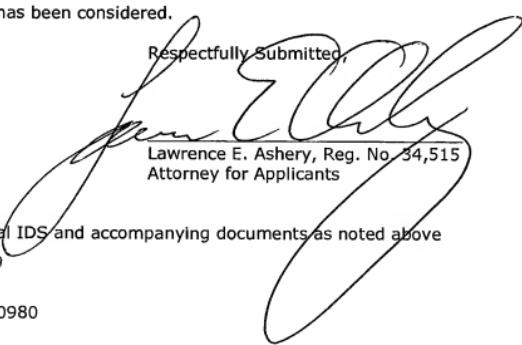
Applicants filed a Supplemental Information Disclosure Statement on April 24, 2008. A copy of the Supplemental IDS filed on April 24, 2008 along with a copy of the Electronic Acknowledgement Receipt is enclosed as evidence of receipt by the USPTO.

The Supplemental Information Disclosure Statement filed on April 24, 2008, although properly filed, has not been considered.

The Examiner is respectfully requested to consider the references enclosed with the originally filed IDS and to return the initialed Form PTO/SB/08a to the undersigned.

It is respectfully requested that issuance of the above-identified application be suspended until the IDS has been considered.

Respectfully Submitted,


Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/nm

Enclosures: Supplemental IDS and accompanying documents as noted above

Dated: January 20, 2009

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

Acknowledgement Receipt

The USPTO has received your submission at **15:07:27** Eastern Time on **24-APR-2008**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

eFiled Application Information

| | |
|---|--|
| EFS ID | 3202846 |
| Application Number | 10017965 |
| Confirmation Number | 8891 |
| Title | MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK |
| First Named Inventor | Mitsuaki Oshima |
| Customer Number or Correspondence Address | Allan Ratner Ratner & Prestia P.O. Box 980 Valley Forge PA 19482 US 610-407-0700 |
| Filed By | Lawrence E. Ashery |
| Attorney Docket Number | MTS-520USA4 |
| Filing Date | 07-DEC-2001 |
| Receipt Date | 24-APR-2008 |
| Application Type | Utility under 35 USC 111 (a) |

COPY**Application Details**

| Submitted Files | Page Count | Document Description | File Size | Warnings |
|-----------------|------------|--|--------------|------------|
| REF0210629.PDF | 8 | Foreign Reference | 441617 bytes | ◆ PASS |
| IDS.PDF | 3 | Information Disclosure Statement (IDS) Filed | 125944 bytes | △ WARNINGS |

This is not an USPTO supplied IDS fillable form

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](#).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](#) or call 1 800-786-9199.

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AND METHOD OF PRODUCING OPTICAL DISK
TC/A.U.: 2137
Examiner: Paul E. Callahan

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the reference listed on the PTO/SB/08a submitted herewith. A copy of each reference listed on the PTO/SB/08a, other than U.S. patents, is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

European reference EP 0 210 629 is provided in the English language.

This reference was cited by a foreign patent office in a counterpart foreign application. MPEP Section 609(a)iii, second paragraph.

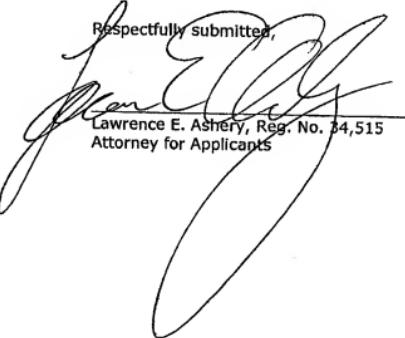
More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a statement as required by 37 C.F.R. § 1.97(c) is provided herewith.

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STATEMENT

The undersigned hereby states that each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/so

Enclosures: PTO/SB/08a
(1) Reference

Dated: April 23, 2008

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

| Complete if Known | |
|----------------------|------------------------|
| Application Number | 10/017,965 |
| Filing Date | December 7, 2001 |
| First Named Inventor | Mitsuaki Oshima et al. |
| Art Unit | 2137 |
| Examiner Name | Paul E. Callahan |
| Attorney Docket No. | MTS-5201US4 |

SHEET 1 of 1

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|--|----------------------------------|---|--|--------------------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ² - Number ⁴ - Kind Code ⁵ (If Known) | Publication Date (MM-DD-YYYY) | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | EP 0 210 629 A2 | 02-04-1987 | Kabushiki Kaisha Toshiba | | <input type="checkbox"/> |
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| Examiner Signature | | | | Date Considered | | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

1 Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

Enter Office that issued the document, by the two-letter code (WIPO Standard SI.3).

*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

Applicant is to place a check mark here if English language translation is attached.
The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) a trademark application for registration under 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form. 37 CFR 1.14(d) provides that the time limit depends upon the individual case. Any comments and/or suggestions for reducing burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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